

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	{	CHAPTER 7
	{	
Samuel Antoine Smith,	{	CASE NO. 19-57855-SMS
	{	
Debtor.	{	

IN RE:	{	
	{	
Samuel Antoine Smith,	{	
	{	
Debtor.	{	
	{	
vs.	{	CONTESTED MATTER
	{	
OneMain Financial Group, LLC.,	{	
	{	
Respondent.	{	

**NOTICE OF REQUIREMENT OF RESPONSE TO MOTION TO AVOID
JUDGMENT LIEN AND OF TIME TO FILE SAME**

NOTICE IS HEREBY GIVEN that a Motion to Avoid Judicial lien pursuant to 11 U.S.C. § 522 has been filed in the above styled case on or about July 10, 2019.

NOTICE IS HEREBY GIVEN that pursuant to Local Rule 6008-2 NDGA, the Respondent must file a response to the motion within 21 days after service, exclusive of the day of service, and serve a copy of same on Debtor's Attorney. In the event that no response is timely filed and served, then the Bankruptcy Court may enter an order granting the relief sought.

Dated: July 10, 2019

Respectfully Submitted,

By: /s/ Cha'Ron A. Ballard
Cha'Ron A. Ballard
Attorney for Debtor
The Ballard Law Group
3664 Club Drive, Suite 203 A
Lawrenceville, GA 30044
(404) 220-9906 Office
(404) 220-9907 Fax
theballardlawgroup@gmail.com

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	{	
Respondent.	{	

MOTION TO AVOID JUDGMENT LIEN

COMES NOW Debtor, Samuel Antoine Smith, by and through under-signed counsel, and files this Motion to Avoid the Judgment Lien of OneMain Financial Group, LLC., and represents as follows:

1.

This case was commenced on May 20, 2019 by the filing of a Voluntary Petition in Bankruptcy for relief under Chapter 7 of Title 11 of the United States Code.

2.

This Motion is filed by the Debtor under 11 U.S.C. § 522(f) (1) to avoid a lien which purports to attach to Debtor's personal property.

3.

Respondent obtained a judgment against the Debtor on or about October 11, 2018 in the Magistrate Court of Newton County County, civil action number 18-4033CS, and the amount of the judgment lien is approximately \$3,960.45.

4.

Pursuant to 11 U.S.C. § 522 and O.C.G.A. 44-13-100, Debtor properly claimed as exempt on Schedule C, including all allowed amendments to Schedule C, the property as listed on Schedule A/B.

5.

The value of each claimed exemption in the above-listed property is equal to or greater than the value of that property.

Wherefore, Movant prays for:

- (a) A judgment against Respondent for the cancellation and avoidance of the said lien;
- (b) Such other and further relief that this Court deems fair and just.

Dated: July 10, 2019

Respectfully Submitted,

By: /s/ Cha'Ron A. Ballard
Cha'Ron A. Ballard
Attorney for Debtor
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OneMain Financial Group, LLC.,	{	
	{	
Respondent.	{	

CERTIFICATE OF SERVICE

I hereby certify that I am more than 18 years of age and that I have this day served a copy of the within Motion to Avoid Judicial Lien with Notice of Hearing upon the following by depositing a copy of the same in U.S. Mail with sufficient postage affixed thereon to ensure delivery:

Debtor

Samuel A. Smith
8133 N. Links Drive
Covington, GA 30014

Respondent

OneMain Financial Group, LLC
c/o John A. Swann
Friesmen, Macon, Swann and Malone
2905 Piedmont Rd. NE, Ste. C
Atlanta, GA 30305

Respondent

OneMain Financial Group, LLC.
Attn: Bankruptcy
P O Box 3251
Evansville, IN 47731

Notice of Appearance:

Attn: Capital One Auto Finance, a division of Capital One, N.A. Department AIS
Portfolio Services,
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

Notice of Appearance:

Atlas Acquisitions LLC
294 Union St.
Hackensack, NJ 07601
Attn: Avi Schild

Respondent

OneMain Financial Group, LLC
P O Box 1010
Evansville, IN 47706

Respondent

Douglas H. Schulman- Pres. & CEO
OneMain Financial Group, LLC.
100 International Drive, 16th Floor
Baltimore, MD 21202

Registered Agent

OneMain Financial Group, LLC
c/o CT Corporation System
289 S. Culver St.
Lawrenceville, GA 30046-4805

Registered Agent

OneMain Financial Group, LLC.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange St.
Wilmington, DE 19801

United States Trustee

Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive SW
Atlanta, GA 30303

I further certify that, by agreement of parties Cathy L. Scarver, Standing Chapter 7 Trustee, and the Office of the United States Trustee were served via the ECF electronic mail/noticing system

Dated: July 10, 2019

Respectfully Submitted,
By: /s/ Cha'Ron A. Ballard
Cha'Ron A. Ballard
Attorney for Debtor
The Ballard Law Group
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Lawrenceville, GA 30044
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